

FORD IS REASSURED ABOUT F. B. I. FILES

He Is Reportedly Told Data
on Congressmen Not Used
to Influence Them

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WASHINGTON, Jan. 22—A spokesman for the White House said today that President Ford had been assured that information in the files of the Federal Bureau of Investigation "is never used to influence the judgment or action of any member of Congress or anybody else."

Ron Nessen, the President's press secretary, told reporters that "the President does not approve of spying on Congress, nor does the F.B.I. approve of spying on Congress."

Mr. Nessen largely restated a statement issued yesterday by Clarence M. Kelley, the director of the F.B.I., who acknowledged that the bureau kept files on members of Congress but denying any impropriety.

A house Judiciary subcommittee will begin hearings Jan. 30 to ask Mr. Kelley about his denials last February of the existence of personal and political files, according to Representative Don Edwards, Democrat of California and chairman of the subcommittee.

'No Reason to Doubt'

"The President has been assured by the F.B.I. and has no reason to doubt that any information on Congressmen in its files is used only in criminal investigations or in suitability checks on prospective appointees to the executive branch," Mr. Nessen said.

Reading from a prepared statement, Mr. Nessen said that the President understood from the F.B.I. that "it legitimately gets information" on members of Congress in three situations

—when a person is "the subject of a criminal investigation, or victim of an action that leads to a criminal investigation"; when a member of Congress is being considered for appointment to a judgeship or to the executive branch, or when "unsolicited information" about a member of Congress is sent to the F.B.I.

"When such allegations do not appear reasonably related to the investigation jurisdiction of the F.B.I., the F.B.I. tells that to the person who invents the information," Mr. Nessen said.

F.B.I. Keeps Letters

He acknowledged that the unsolicited information, plus the letter of reply from the bureau, is retained in the F.B.I. records on the ground that the member of Congress might be considered at some future date for a judicial or executive branch appointment.

Mr. Nessen said that the assurances had been relayed from the Justice Department to Philip W. Buchen, counsel to the President. It appeared that the statement read by Mr. Nessen had been prepared for the President in case he had been asked yesterday at his news conference about the F.B.I. The question was not asked.

Mr. Nessen said he had not asked the President if Mr. Ford had requested to see his own file at the F.B.I.

The statements by Mr. Nessen and Mr. Kelley dealt with current practices at the bureau.

Charges Against Hoover

There have been allegations in recent years that the F.B.I. kept secret dossiers on members of Congress and that such files had been used by J. Edgar Hoover, the late director of the bureau, to aid his friends in Congress.

L. Patrick Gray 3d, who served as F.B.I. director after Mr. Hoover died, told the Senate Judiciary Committee in 1973 that material was collected on politicians and that summaries were made, but that he had feared destroying the material, which he called "rot," because it would have to be relieved first by employers of the national archives.